



Entered on Docket
September 17, 2010

Hon. Linda B. Riegle
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

IN RE:

THE RHODES
COMPANIES, LLC,
aka "Rhodes Homes," *et al.*,

Reorganized Debtors.¹

Case No. 09-14814-LBR
(Jointly Administered)

Chapter 11

Hearing Date: August 24, 2010
Hearing Time: 1:30 P.M.
Courtroom 1

Affects:

- ☒ All Debtors
☐ Affects the following
Debtor(s)

**ORDER RE REORGANIZED DEBTORS' MOTION FOR (A)
DETERMINATION OF OWNERSHIP OF STANLEY MATERIALS AND (B)
AUTHORIZATION TO SELL STANLEY MATERIALS [RE: DOCKET NO. 1214]**

Upon consideration of (i) the *Reorganized Debtors' Motion for (A) Determination of Ownership of Stanley Materials and (B) Authorization to Sell Stanley Materials* [Docket No.

¹ The Reorganized Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, if applicable, are: Heritage Land Company, LLC (2918); The Rhodes Companies, LLC (3060); Rhodes Ranch General Partnership (1760); Tick, LP (0707); Glynda, LP (5569); Chalkline, LP (0281); Batcave, LP (6837); Jackknife, LP (6189); Wallboard, LP (1467); Overflow, LP (9349); Rhodes Ranch Golf and Country Club (9730); Tuscany Acquisitions, LLC (0206); Tuscany Acquisitions II, LLC (8693); Tuscany Acquisitions III, LLC (9777); Tuscany Acquisitions IV, LLC (0509); Parcel 20 LLC (5534); Rhodes Design and Development Corp. (1963); C&J Holdings, Inc. (1315); Rhodes Realty, Inc. (0716); Jarupa LLC (4090); Elkhorn Investments, Inc. (6673); Rhodes Homes Arizona, LLC (7248); Rhodes Arizona Properties, LLC (8738); Tribes Holdings LLC (4347); Six Feathers Holdings, LLC (8451); Elkhorn Partners, A Nevada Limited Partnership (9654); Bravo Inc. (2642); Gung-Ho Concrete, LLC (6966); Geronimo Plumbing, LLC (6897); Apache Framing, LLC (6352); Tuscany Golf Country Club, LLC (7132); and Pinnacle Grading, LLC (4838).

1214] (the “Motion”)² and (ii) *Stanley Consultants, Inc.’s Opposition to Reorganized Debtors’ Motion for (A) Determination of Ownership of Stanley Materials and (B) Authorization to Sell Stanley Materials* [Docket No. 1230], and good cause appearing, it is hereby

ORDERED that the Court abstains from making a determination on the Motion in favor of permitting the Superior Court of Arizona, Maricopa County to determine the parties’ rights to the Stanley Materials in the context of the litigation currently pending between the Reorganized Debtors and Stanley or otherwise;

ORDERED that the Reorganized Debtors are permitted to sell their disputed interest in the Stanley Materials by quitclaim deed; and

ORDERED that the Arizona Assets Sale shall proceed on the schedule set forth in the Bid Procedures that were approved by the Bid Procedures Order, with a hearing on the Arizona Assets Sale to be held on September 13, 2010.

Submitted by:

DATED this 15th day of September, 2010.

KOLESAR & LEATHAM, CHTD.

By /s/ Nile Leatham
Nile Leatham (NV Bar No. 002838)
3320 W. Sahara Avenue, Suite 380
Las Vegas, NV 89102
(702) 979-2357 (Telephone)
(702) 362-9472 (Facsimile)
Nleatham@klnevada.com

² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

LR 9021 Certification

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below.

Party	Approved	Disapproved	No Response
Counsel to Stanley Engineering Anderson, McPharlin & Conners LLP	X		
Counsel to James Rhodes Fox Rothschild LLP	X		
Office of the United States Trustee			X

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